

DAM

PATENT 0397-0470P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

T. FUKUJU et al.

Conf.:

1094

Appl. No.:

10/713,302

Group:

1743

Filed:

November 17, 2003

Examiner: SIEFKE, S.P.

For:

SAMPLE ANALYZER AND ITS COMPONENTS

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 September 7, 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. This application was filed before June 30, 2003.

 Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

c. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

a. M DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. MENGLISH LANGUAGE SEARCH REPORT

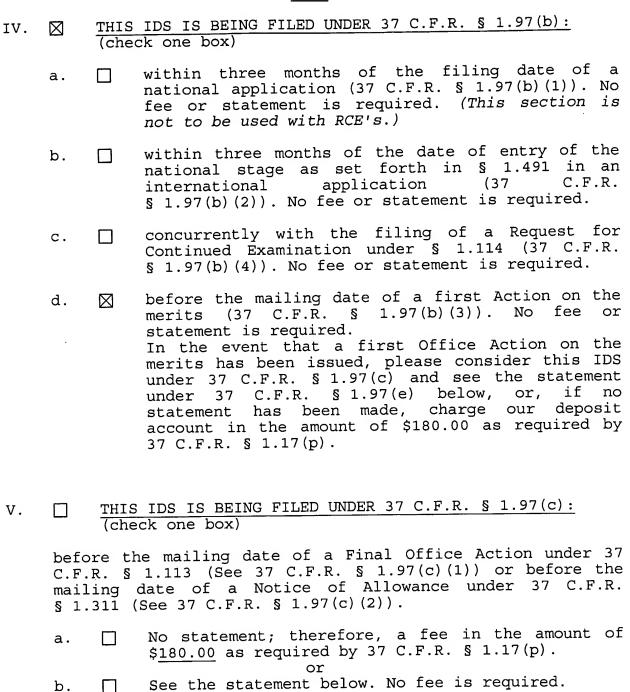
An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. OTHER

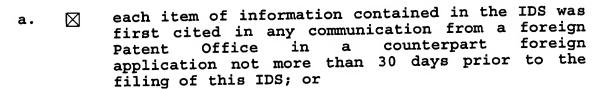
The following additional information is provided for the Examiner's consideration.

FEES

Į,



VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box) The undersigned hereby states that



- each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- c. no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- Some of the items of information were cited in a d. communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign counterpart foreign Office in a application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII.	PAYMENT	OF	FEES	(check	one	box)	į
------	---------	----	------	--------	-----	------	---

- A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- \boxtimes No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By (veg. #40, 4/7)
Terrell C. Birch, #19,382

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

TCB/pjh 0397-0470P

Attachment(s): ⊠ PTO-1449

□ Documents

☐ Fee

□ Other:

(Rev. 05/14/2004)

"Chrm	P	<u> </u>	- 1	4	4	9

ATTY. DOCKET NO. 0397-0470P APPLICATION NO. 10/713,302

ÓSURE CITATION INFORMATION

APPLICANT T. FUKUJU et al. IN AN APPLICATION GROUP FILING DATE (Use several sheets if necessary) 1743 November 17, 2003 U.S. PATENT DOCUMENTS CLASS SUB FILING DATE IF APPROPRIATE DATE NAME DOCUMENT NUMBER Kind KOWALK US 3,063,451 1962-11-13 VAILLANCOURT US 4,743,243 1988-05-10 US US US US US US US US FOREIGN PATENT DOCUMENTS TRANSLATION CLASS SUB CLASS COUNTRY Office DOCUMENT Kind DATE NUMBER YEŞ NO PCT WO 97/14967 A 1997-04-24 2000-11-23 PCT WO 00/69389 Α OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. DATE CONSIDERED EXAMINER EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TCB/pjh